

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-15, 18-21, 24-27, 29-32, 34, and 69-89 are pending; Claims 1, 3-5, 10, 15, 18-21, 25, 27, 29-31, and 34 are amended; Claims 2, 16, 17, 22, 23, 28, 33, and 35-68 are cancelled; and new Claims 69-89 are added by the present amendment.

The outstanding Official Action rejected Claims 27-34 and 61-68 under 35 U.S.C. § 101; rejected Claims 1-3, 16, 17, 22, 23, 27-29, 32-37, 50, 51, 56, 57, 61-63, and 66-68 under 35 U.S.C. § 103(a) as unpatentable over Japanese Patent Application No. 2002-185911 to Naoki et al. (hereinafter Naoki) in view of Japanese Patent Application No. 2000-069421 to Takeshi; rejected Claims 24 and 58 under 35 U.S.C. § 103(a) as unpatentable over Naoki and Takeshi and further in view of Japanese Patent Application No. 2002-044601 to Toshiya; and indicated Claims 4-15, 18-21, 25, 26, 30, 31, 38-49, 52-55, 59, 60, 64, and 65 as reciting allowable subject matter.

Applicants acknowledge with appreciation the indication of allowable subject matter. In view of this indication, Claims 4, 5, 10, 15, 18, 19, 21, 25, 30, and 31 are rewritten in independent form including the features of the rejected base claim. No new matter has been added. Accordingly, Applicants submit that Claims 4, 5, 10, 15, 18, 19, 21, 25, 30, and 31, and the claims depending therefrom, are in condition for formal allowance.

New independent Claims 71, 72, 77, 82, 83, 84, 86, and 88 recite features analogous to independent Claims 4, 5, 10, 15, 18, 19, 21, and 25, respectively. No new matter has been added. Accordingly, Applicants submit that Claims 71, 72, 77, 82, 83, 84, 86, and 88, and the claims depending therefrom, are in condition for formal allowance.

Independent Claim 27 is amended to recite “the image data are compressed by an image compression algorithm and recorded in the recording medium.” Analogous

amendments are made to independent Claims 30 and 31. Applicants respectfully submit that Claims 27, 30, and 31 as amended recite a practical application that produces a concrete, tangible, and useful result such as modifying data through an operation and recording the modified data in a recording medium. Furthermore, independent Claim 34 is amended to recite a computer readable medium. Thus, Applicants submit that the rejection of the claims under 35 U.S.C. § 101 is rendered moot by the present amendment.

Applicants respectfully traverse the rejection of the claims under 35 U.S.C. § 103(a) for the following reasons.

Claim 1 is directed to an image recording apparatus. The recording apparatus includes, *inter alia*, means for obtaining information for determining a data amount reduction remaining force of image data recorded in the recording medium. Image data having a large value of “an amount of present code” / “an amount of lossless code” are determined as image data having the large data amount reduction remaining force. The apparatus further includes means for selecting image data determined to have a large data amount reduction remaining force based on the information obtained by the means for obtaining information, with a priority. The apparatus also includes means for performing a data amount reduction process against the image data selected by the means for selecting.

Turning now to the applied reference, Naoki describes a method for using a recorder for a broadcast receiver.¹ Naoki describes that a remaining capacity of the recorder is compared with a preset value, and a program from the recorder is extracted when the remaining capacity of the recorder is determined to be less than the preset value. The extracted program is compressed using a compression rate based on the genre information of

¹ See Naoki at Abstract.

the extracted program. After the extracted program is compressed, the compressed program is stored back in the recorder.²

Claim 1 is distinguishable over Naoki as the applied reference fails to disclose or suggest *image data having a large value of "an amount of present code" / "an amount of lossless code" are determined as image data having the large data amount reduction remaining force*. The outstanding Official Action asserts that Naoki discloses the above noted feature.³ However, Naoki merely describes extracting a program from a recorder when a remaining capacity of the recorder is less than a preset threshold value. However, Naoki neither discloses nor suggests that a program is extracted when the program has *a large value of "an amount of present code" / "an amount of lossless code."* Instead, the program in Naoki is extracted when the remaining capacity of the recorder is less than a preset threshold value. Furthermore, Naoki neither discloses nor suggests that the preset threshold value is correlated with *"an amount of present code" / "an amount of lossless code."*

The outstanding Official Action acknowledges that Naoki fails to disclose or suggest *means for selecting image data determined to have a large data amount reduction remaining force based on the obtained information, with a priority*.⁴ To cure this deficiency, the outstanding Official Action relies on Takeshi.

Takeshi describes displaying image data, stored in a medium, on a display system. The data stored in the storage medium is sorted into either one of two categories: a large display frequency and a small display frequency. Takeshi further describes that the data sorted into the small display frequency category is compressed at an increased compression rate.⁵ Although Takeshi describes sorting image data based on the data's display frequency, Takeshi fails to disclose or suggest that the display frequency is correlated with *"an amount*

² See Naoki at Abstract.

³ See Official Action of April 5, 2007 at page 6, lines 18-21.

⁴ See Official Action of April 5, 2007 at page 5, at paragraph 6.

⁵ See Takeshi at Abstract.

of present code" / "an amount of lossless code." Thus, Takeshi fails to disclose or suggest selecting image data determined to have a large data amount reduction remaining force where image data having a large value of "an amount of present code" / "an amount of lossless code" are determined as image data having the large data amount reduction remaining force.

Accordingly, Applicants submit that Naoki and Takeshi fail to disclose or suggest all the features of amended Claim 1. Thus, Applicants respectfully request that the rejection of Claim 1, and the claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Independent Claims 27 and 34 are amended to recite features analogous to Claim 1. Accordingly, Applicants submit that Naoki and Takeshi fail to disclose or suggest all the features of independent Claims 27 and 34. Thus, Applicants respectfully request that the rejection of Claims 27 and 34, and the claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

New Claim 69 recites features analogous to Claim 1. Thus, Applicants respectfully submit that Naoki and Takeshi fail to disclose or suggest all the features of Claim 69, and the claims depending therefrom.

The outstanding Official Action rejected Claim 24 under 35 U.S.C. § 103(a) over Naoki and Takeshi, and further in view of Toshiya. Applicants respectfully traverse this rejection for the following reasons. As outlined above, Naoki and Takeshi fail to disclose or suggest all the features of Claim 1, which Claim 24 depends from. As Toshiya does not remedy the deficiencies of Naoki and Takeshi, Applicants respectfully submit that a *prima facie* case of obviousness has not been presented. Accordingly, Applicants request that the rejection of Claim 24, and the claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present invention patentably distinguishes over the applied references. The present application is therefore believed to be in a condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

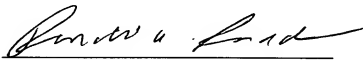
Respectfully submitted,

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